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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,895	02/05/2004	Brian S. Watson	13036/23 (MP0982)	8338

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EXAMINER

BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/773,895	Applicant(s) WATSON, BRIAN S.	
	Examiner James H. Blackwell	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/5/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to an original application filed 02/05/2004 with a priority date of **02/05/2004**.
2. Claims 1-18 are pending. Claims 1 and 13 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Balding (U.S. Patent No. 4,340,905 filed 09/12/1980, issued 07/20/1982).

In regard to independent Claim 1, Balding discloses a color photographic printing device containing: *a) a rendering engine for rendering images onto a medium* (photographic printing means for reproducing a color image on photographic film controlled by a microprocessor (Fig. 4, item 55 microprocessor) and *b) an input port for receiving an image data* (film preview receptacle item 14 Fig. 2); and *c) a print preview projection mechanism for converting the received image data into corresponding displayable image data and for projecting the displayable image data for viewing by a user* (Fig. 4; provides a projection of an image which can be viewed on a video monitor).

In regard to dependent Claim 2, Balding discloses the limitation that

the print preview projection mechanism provides the user with a preview of the image data prior to rendering of the image data (Col. 3, lines 21-49; Fig. 4; user previews and adjusts from preview on monitor).

Balding also discloses the limitation *wherein the print preview projection mechanism includes a display format mechanism for converting the received image data into corresponding displayable image data (see Fig. 4 projected image is converted to be previewed by user on monitor).*

In regard to dependent Claim 3, Balding discloses the limitations that
the print preview projection mechanism includes a projection mechanism for projecting the displayable image data onto a two-dimensional surface and wherein the projected preview image is a two-dimensional image (see Fig. 4 image is projected by item 63, a lens onto item 64, print paper).

In regard to dependent Claim 4, Balding discloses the limitations that *the print preview projection mechanism includes a projection mechanism for projecting the displayable image data into a three-dimensional space (Fig. 4, the space in which the projection is taking place is 3-dimensional) and wherein the projected preview image is one of a two-dimensional image and a three-dimensional image (Fig. 4, lens (item 63) projects onto print paper (item 64) which is 2-Dimensional).*

In regard to dependent Claim 5, Balding discloses the limitation where *the print preview projection mechanism further includes an image manipulation application for allowing a user to manipulate the image data prior to rendering (Col. 3, lines 21-49; Figs. 1, and 4-5; user makes adjustments based on images received on video monitors*

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of the projection and further microprocessor controls adjustments input by user to change the image).

In regard to dependent Claim 6, Balding discloses the limitation of *the image manipulation application supports one of user interface functions, editing operations, compositing operations, image processing operations, delete and add operations, other image modification operations, and a combination thereof* (Col. 3, lines 21-49; Figs. 1, and 4-5; user can adjust color levels, density of image prior to printing it based on the projected image).

In regard to dependent Claim 7, Balding discloses the limitation that *the input port includes one of a connection port, a media reader slot, and a receiver* (Col. 2, lines 41-48; Fig. 4; film preview receptacle used for holding input (negative) so that it can be projected).

In regard to dependent Claim 8, Balding discloses the limitations that *the apparatus is coupled to an image source through a communication link* (refer to Fig. 5) and *wherein the image source provides the image data* (Fig. 4) and *wherein the image source includes one of a storage media, an image capture device, a digital camera, a personal communication device, a cellular telephone, a personal digital assistant, and other device external to the image rendering apparatus* (image capture device, photo paper) and *wherein the communication link includes one of a wireless link, a wired link, a USB cable, and a channel specified by a predetermined frequency* (wired link as shown in Figs. 4-5).

In regard to dependent Claim 9, Balding discloses that *the image data includes one of text data, a digital picture data, graphic data, drawing data, images, and a combination thereof* (Col. 2, lines 41-64; image is of a photographic negative to be previewed and printed by the device).

In regard to dependent Claim 10 (and similarly dependent Claim 17), Balding discloses that *the apparatus is one of a printer, a facsimile machine, and an all-in-one office machine* (Figs. 1, 4-5 disclose a printer).

In regard to dependent Claim 11, Balding discloses the limitations of *a plurality of switches for use by a user to control print preview functions and image editing functions; wherein each switch, when activated by the user, generates a signal representing user input; and wherein the signal is provided to the print preview projection mechanism* (Col. 3, lines 21-49; Fig. 1 items (39-42, 71)).

In regard to dependent Claim 12, Balding discloses the limitation of *wherein the image manipulation includes a multiple image manipulation module for receiving image data and user input and based thereon for generating a composite image file* (Col. 3, lines 21-49; Fig. 1 items (39-42, 71)).

Balding also discloses the limitation of *a source write unit for writing data to an image source* (Fig. 4, microprocessor 55 instructs items 59, 59a, 65-70 to adjust via user inputs to print picture).

In regard to independent Claim 13, Claim 13 contains subject matter similar to that found in Claim 1 and is similarly rejected. In addition, **Balding** discloses *d) a view finder for use by a user to view images* (Fig. 1, item 48).

Balding also discloses the limitation of *e) a projection mechanism, coupled to the viewfinder, for projecting the displayable image data into the viewfinder* (Fig. 4 projection mechanism 63 coupled to viewfinder (Fig. 1, items 13, 11)).

In regard to dependent Claim 14, Balding discloses the limitation where *the viewfinder is one of integrated with the image rendering apparatus and detachable from the image rendering apparatus* (integrated as shown in Figs. 1-5).

In regard to dependent Claim 15, Balding discloses the limitation where *the viewfinder is coupled to the projection mechanism through one of a wired link and a wireless link* (wired link as shown in Figs. 1-5).


In regard to dependent Claim 16, Balding discloses that *the viewfinder is implemented as one of a pair of virtual reality glasses, a two-dimensional viewer, and a three-dimensional viewer* (video monitor, typically 2-D as shown in Figs. 1-5). Balding also discloses the limitation *wherein the projected image is one of projected onto a two-dimensional surface and projected into a three-dimensional space for viewing* (2-D (item 64) as shown in Figs. 1-5).

In regard to dependent Claim 18, Claim 18 contains subject matter similar in content to that of Claims 11 and 12 and is rejected along the same lines.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.
6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James H. Blackwell
08/18/2006


WILLIAM BASHORE
PRIMARY EXAMINER